

(A) relevant logistical requirements, such as ports of entry, and security accommodations; and

(B) navigating the legal and political restrictions through the coordinated efforts of United Nations and United States agencies operating in Gaza; and

(9) the feasibility of transporting Palestinians in United States vehicles between the Erez Crossing in Gaza to the United States Embassy in Jerusalem for appointments with Embassy staff, including an analysis of—

(A) relevant logistical requirements and security accommodations; and

(B) navigating the legal and political restrictions through the coordinated efforts of Israeli authorities and United Nations and United States agencies operating in Gaza.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 4534. Mr. SANDERS (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1004. REDUCTION IN AMOUNT AUTHORIZED TO BE APPROPRIATED FOR FISCAL YEAR 2022 BY THIS ACT.

(a) IN GENERAL.—The amount authorized to be appropriated for fiscal year 2022 by this Act is—

(1) the aggregate amount authorized to be appropriated for fiscal year 2022 by this Act (other than for military personnel and the Defense Health Program); minus

(2) the amount equal to 14 percent of the aggregate amount described in paragraph (1).

(b) ALLOCATION.—The reduction made by subsection (a) shall apply on a pro rata basis among the accounts and funds for which amounts are authorized to be appropriated by this Act (other than military personnel and the Defense Health Program), and shall be applied on a pro rata basis across each program, project, and activity funded by the account or fund concerned.

SA 4535. Mr. SANDERS (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. PROHIBITION ON SUPPORT OR MILITARY PARTICIPATION IN SAUDI-LED OPERATIONS IN YEMEN.

(a) PROHIBITION ON SUPPORT.—None of the funds authorized to be appropriated or otherwise made available by this Act may be made available to provide the following

forms of United States support to the Saudi-led coalition's operations in Yemen:

(1) Sharing intelligence for the purpose of enabling offensive coalition strikes.

(2) Providing logistical support for coalition strikes that prolong and deepen the conflict in Yemen, including by providing maintenance or transferring spare parts to coalition members flying warplanes engaged in military strikes in Yemen.

(b) PROHIBITION ON MILITARY PARTICIPATION.—None of the funds authorized to be appropriated or otherwise made available by this Act may be made available for any civilian or military personnel of the Department of Defense to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of the Saudi and United Arab Emirates-led coalition forces in Yemen or in situations in which there exists an imminent threat that such coalition forces become engaged in such hostilities, unless and until the President has obtained specific statutory authorization, in accordance with section 8(a) of the War Powers Resolution (50 U.S.C. 1547(a)).

(c) RULE OF CONSTRUCTION.—The prohibitions under this section may not be construed to apply with respect to United States Armed Forces engaged in operations directed at al Qaeda or associated forces.

SA 4536. Mr. SANDERS (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1004. DEPARTMENT OF DEFENSE SPENDING REDUCTIONS IN THE ABSENCE OF AN UNQUALIFIED AUDIT OPINION.

If during any fiscal year after fiscal year 2022, the Secretary of Defense determines that a department, agency, or other element of the Department of Defense has not achieved an unqualified opinion on its full financial statements for the calendar year ending during such fiscal year—

(1) the amount available to such department, agency, or element for the fiscal year in which such determination is made shall be equal to the amount otherwise authorized to be appropriated minus 1.0 percent;

(2) the amount unavailable to such department, agency, or element for that fiscal year pursuant to paragraph (1) shall be applied on a pro rata basis against each program, project, and activity of such department, agency, or element in that fiscal year; and

(3) the Secretary shall deposit in the general fund of the Treasury for purposes of deficit reduction all amounts unavailable to departments, agencies, and elements of the Department in the fiscal year pursuant to determinations made under paragraph (1).

SA 4537. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Depart-

ment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. BRIEFING ON UNITED STATES-INDIA JOINT DEFENSE AND RELATED INDUSTRIAL AND TECHNOLOGY RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the appropriate committees of Congress a briefing on joint defense and related industrial and technology research and development and personnel exchange opportunities between the United States and India.

(b) MATTERS TO BE INCLUDED.—The briefing under subsection (a) shall include the following:

(1) A status update on the Defense Technology and Trade Initiative and its efforts to increase private sector industrial cooperation.

(2) An assessment of whether additional funds are necessary for the Defense Technology and Trade Initiative for seed funding and personnel exchanges.

(3) An assessment of whether the Israel-U.S. Binational Industrial Research and Development Foundation and Fund provides a model for United States and India private sector collaboration on defense and critical technologies.

(4) A status update on the collaboration between the Department of Defense Innovation Unit and the Innovations for Defence Excellence program of the Ministry of Defence of India to enhance the capacity of the Department of Defense and Ministry of Defence of India to identify and source solutions to military requirements by accessing cutting-edge commercial technology through non-traditional processes.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 4538. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, insert the following:

SEC. ____ . EDUCATIONAL ASSISTANCE FOR PURSUIT OF PROGRAMS OF EDUCATION IN CYBERSECURITY.

(a) PROGRAM REQUIRED.—The Secretary of Defense shall, acting through the Director of Operational Test and Evaluation, carry out a program on the provision of educational assistance to individuals for the pursuit of a programs of education in the field of cybersecurity in support of Department of Defense requirements and in order to create a talent pipeline for the cyber testing and evaluation workforce capable of improving confidence in the operational effectiveness, suitability, and survivability of software-enabled and cyber physical systems.

(b) **REQUIREMENTS.**—In providing educational assistance under subsection (a), the Secretary shall ensure that the educational assistance is provided for programs of education that lead to a degree or certification in a cybersecurity field from an institution of higher education, including a community college.

(c) **FUNDING.**—

(1) **ADDITIONAL AMOUNT.**—The amount authorized to be appropriated for fiscal year 2022 by section 201 for research, development, test, and evaluation is hereby increased by \$3,000,000, with the amount of the increase to be available for Life Fire Test and Evaluation (PE 0605131OTE).

(2) **AVAILABILITY.**—The amount available under paragraph (1) shall be available to carry out the program required by subsection (a).

(3) **OFFSET.**—The amount authorized to be appropriated for fiscal year 2022 by section 101 for procurement is hereby decreased by \$3,000,000, with the amount of the decrease to be taken from amounts available for Procurement of Ammo, Navy & Marine Corps, General Purpose Bombs.

SA 4539. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1264. ANNUAL REPORT ON SURVEILLANCE SALES TO REPRESSIVE GOVERNMENTS.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until 2040, the Secretary of State, in coordination with the Director of National Intelligence and the Secretary of Defense, shall submit to the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives a report with respect to foreign persons that the Secretary of State determines—

(1) have operated, sold, leased, or otherwise provided, directly or indirectly, items or services related to targeted digital surveillance with knowledge of, or disregard for, potential human rights concerns to—

(A) a foreign government or entity located primarily inside a foreign country where a reasonable person would assess that such transfer could result in a use of the items or services in a manner contrary to human rights; or

(B) a country including any governmental unit thereof, entity, or other person determined by the Secretary of State in a notice published in the Federal Register to have used items or services for targeted digital surveillance in a manner contrary to human rights; or

(2) have materially assisted, sponsored, or provided financial, material, or technological support for, or items or services to or in support of, the activities described in paragraph (1).

(b) **MATTERS TO BE INCLUDED.**—Each report required by subsection (a) shall include the following for the preceding one-year period:

(1) The name of each foreign person with respect to which the Secretary has made a

determination under paragraph (1) or (2) of subsection (a).

(2) The name of each intended and actual recipient of items or services described in subsection (a).

(3) A detailed description of such items or services.

(4) An identification of such items and services that could provide the Government of the People's Republic of China with a critical capability to suppress basic human rights, including items and services that provide the capability—

(A) to conduct surveillance;

(B) to monitor and restrict an individual's movement;

(C) to monitor and restrict access to the internet; or

(D) to identify individuals through facial or voice recognition.

(5) An analysis of whether the inclusion of the persons named under paragraph (1) on the entity list maintained by the Bureau of Industry and Security is appropriate.

(c) **CONSULTATION.**—In compiling data and making assessments for the purpose of preparing a report required by subsection (a), the Secretary of State shall consult with a wide range of organizations, including with respect to—

(1) classified and unclassified information provided by the Director of National Intelligence;

(2) information provided by the Bureau of Democracy, Human Rights, and Labor's Internet Freedom, Business and Human Rights section;

(3) information provided by the Department of Commerce, including the Bureau of Industry and Security;

(4) information provided by the advisory committees established by the Secretary of State to advise the Under Secretary of Commerce for Industry and Security on controls under the Export Administration Regulations, including the Emerging Technology and Research Advisory Committee; and

(5) information on human rights and technology matters, as solicited from civil society and human rights organizations through regular consultation processes; and

(6) information contained in the country reports on human rights practices published annually by the Department of State.

(d) **FORM.**—Each report required by subsection (a) shall be submitted in unclassified form and may include a classified annex.

(e) **PUBLIC AVAILABILITY.**—Not later than 14 days after the date on which each report required by subsection (a) is submitted to Congress, the President shall post the report on a text-based, searchable, and publicly available internet website.

(f) **DEFINITIONS.**—In this section:

(1) **FOREIGN PERSON.**—The term “foreign person” means an individual or entity that is not a United States person.

(2) **IN A MANNER CONTRARY TO HUMAN RIGHTS.**—The term “in a manner contrary to human rights”, with respect to targeted digital surveillance, means engaging in targeted digital surveillance—

(A) in violation of basic human rights, including to silence dissent, sanction criticism, punish independent reporting (and sources for that reporting), manipulate or interfere with democratic or electoral processes, persecute minorities or vulnerable groups, or target advocates or practitioners of human rights and democratic rights (including activists, journalists, artists, minority communities, or opposition politicians); or

(B) in a country lacking a minimum legal framework governing the use of targeted digital surveillance, including established—

(i) authorization under laws that are accessible, precise, and available to the public;

(ii) constraints limiting the use of targeted digital surveillance under principles of necessity, proportionality, and legitimacy;

(iii) oversight by entities independent of the government's executive agencies;

(iv) involvement of an independent and impartial judiciary branch in authorizing the use of targeted digital surveillance; or

(v) legal remedies in case of abuse.

(3) **TARGETED DIGITAL SURVEILLANCE.**—The term “targeted digital surveillance” means the use of items or services that enable an individual or entity to detect, monitor, intercept, collect, exploit, preserve, protect, transmit, retain, or otherwise gain access to the communications, protected information, work product, browsing data, research, identifying information, location history, or online and offline activities of other individuals, organizations, or entities, with or without the explicit authorization of such individuals, organizations, or entities.

SA 4540. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 565, strike lines 6 and 7, and insert the following:

(C) in paragraph (5)—

(i) by striking “fiscal year 2021” and inserting “fiscal year 2022”; and

(ii) by striking “\$75,000,000” and inserting “\$125,000,000”;

In the funding table in section 4301, for Operation and Maintenance, Defense-wide relating to Administrative and Service-Wide Activities, in the item relating to the Defense Security Cooperation Agency, Increase to Ukraine Security Assistance Initiative, strike the amount in the Senate Authorized column and insert “[100,000]”.

In the funding table in section 4301, for Operation and Maintenance, Defense-wide relating to Subtotal Administrative and Service-Wide Activities, strike the amount in the Senate Authorized column and insert “35,080,256”.

In the funding table in section 4301, for Operation and Maintenance, Defense-wide relating to Total Operation and Maintenance, Defense-Wide, strike the amount in the Senate Authorized column and insert “45,129,862”.

In the funding table in section 4301 for Operation and Maintenance, Defense-wide relating to Afghanistan Security Forces Fund, Afghan Air Force, [Sustainment], strike the amount in the Senate Authorized column and insert “512,056”.

In the funding table in section 4301 for Operation and Maintenance, Defense-wide relating to Afghanistan Security Forces Fund, Afghan Air Force, Subtotal Afghan Air Force, strike the amount in the Senate Authorized column and insert “467,331”.

In the funding table in section 4301 for Operation and Maintenance, Defense-wide relating to Afghanistan Security Forces Fund, Total Afghanistan Security Forces Fund, strike the amount in the Senate Authorized column and insert “3,277,810”.

SA 4541. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to